

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

10CV6005(RWS)

Plaintiff,

Rule 26(f)(3) Discovery Plan

-against-

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, SGT FREDERICK SAWYER, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCHART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.

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The parties submit the following Discovery Plan, pursuant to Federal Rules of Civil Procedure Rule 26(f)(3).

1. All automatic pursuant to Rule 26(a), to the extent not already disclosed, shall be served by each party no later than August 15, 2011.
2. Plaintiff shall respond to the Interrogatories and Requests for the Production of Documents heretofore served by the defendants by August 15, 2011. Plaintiffs shall respond to Interrogatories and Requests for the Production of Documents served hereafter by any defendant within twenty days of service thereof, unless otherwise agreed. Plaintiff shall also provide copies of all audio recordings by August 15, 2011.
3. Defendants shall respond to the Interrogatories and Requests for Production of Documents served by plaintiff by August 15, 2011. Defendants shall respond to Interrogatories and Requests for the Production of Documents served hereafter by the plaintiff within twenty days of service thereof, unless otherwise agreed. Defendant City of New York shall respond to the Requests for Admission by August 15, 2011, and will provide a list of documents claimed to be privileged by that date.
4. Plaintiff will move for disclosure of any documents withheld by the City of New York under the claim of privilege by August 30, 2011.
5. The deposition of the plaintiff will be held beginning thirty days after the production of any documents (claimed to be privileged) ordered by the court (measured from the date the City actually mails those documents to the parties). If no additional documents are ordered to be produced, the deposition will be held within 45 days after the date of that order. The plaintiff will be produced for two consecutive seven hour days (one for the City defendants and one for the medical-hospital defendants) for that deposition,

subject to a request by any party for additional time.

6. The depositions of the defendants will be held beginning two weeks after the deposition of the plaintiff is completed pursuant to a schedule to be agreed upon after the plaintiff's deposition is completed.

7. Plaintiff will produce Larry Schoolcraft for deposition to be held before the fact discovery cut-off deadline. The deposition will be limited to seven hours. For good cause shown, the defendants may apply to the Court for additional time for this deposition.

8. Documents that are deemed to be confidential and/or privileged will be handled pursuant to a stipulation and protective order, to be agreed to by and between counsel, or by a Court order if necessary.

9. Local Rule 33.3(c) interrogatories seeking the claims and contentions of the opposing parties shall be served after the depositions of the parties are completed. Plaintiff will respond thereto within twenty days and defendants will respond within twenty days after the plaintiff's response.

10. Fact discovery shall be completed by March 30, 2012.

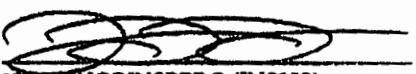
11. Any expert disclosure not previously made, and the depositions of experts, shall be scheduled for the three months after the fact discovery is completed. Plaintiff's expert disclosure shall be made by April 13, 2012 and defendants' expert disclosure shall be made by May 11, 2012. Depositions of plaintiff's expert(s) shall be completed by May 25, 2012 and depositions of defendants' experts shall be completed by June 22, 2012.

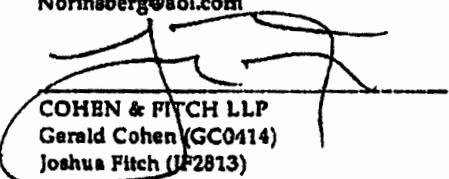
12. Expert discovery shall be completed by June 30, 2012.

13. Any dispositive motions shall be served by August 15, 2012.

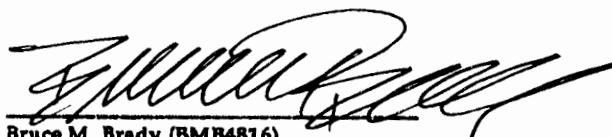
14. All dates in this discovery plan are subject to modification.
15. This document may be executed in counterparts, and signatures transmitted by facsimile or other electronic means shall have the same force and effect as if signed in the original.

Dated: New York, New York
July 27, 2011


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